

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DARRELL H. LEE as Personal Representative of
HAROLD LEE, Deceased,

Plaintiff,

vs.

Civil No. 15-405 KG/KBM

THE CITY OF GALLUP, et al.,

Defendants;

Consolidated with:

DARRELL H. LEE as Personal Representative of
HAROLD LEE, Deceased,

Plaintiff,

vs.

Civil No. 15-510 KG/KBM

UNITED STATES OF AMERICA,

Defendant.

**ORDER DISMISSING DEFENDANTS
GALLUP DETOX CENTER, VERA JOHN, THERESA
GALVAN, CHARLENE SAM, AND IRVINE TSOSIE**

THIS MATTER came before the Court on the Notice of Substitution filed by the United States of America, and the Court is fully advised in the premises. After consideration of the United States' Notice of Substitution and the entire record in this matter,

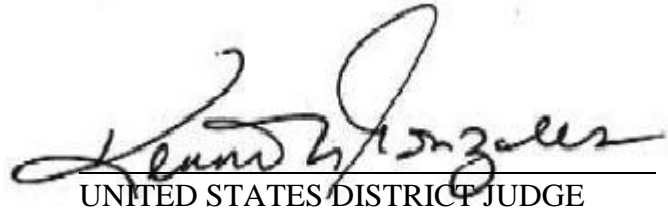
THE COURT CONCLUDES that the United States is the only proper federal defendant with respect to the common law tort claims alleged in the Complaint against Defendants Gallup Detox Center (referenced in the caption as "Gallup Detox Facility"), Vera John, Theresa Galvan, Charlene Sam, and Irvine Tsosie. Since Plaintiff has already filed a second action arising out of

the same facts against the United States, which has been consolidated herewith, Defendants Gallup Detox Center, Vera John, Theresa Galvan, Charlene Sam, and Irvine Tsosie should be dismissed.

IT IS THEREFORE ORDERED that all claims against Defendants Gallup Detox Center, Vera John, Theresa Galvan, Charlene Sam, and Irvine Tsosie are hereby dismissed with prejudice.

IT IS FURTHER ORDERED that hereafter, the caption for this cause shall be: *Darrell H. Lee as Personal Representative of Harold Lee, Deceased v. City of Gallup, a Municipal Corporation of the State of New Mexico; Jackie Mckinney; Dan Dible; George Kozeliski; Patty Holland; McKinley County, A Governmental Subdivision of the State of New Mexico; Genevieve Jackson; Bill Lee; and Sara A. Keeler.*

SO ORDERED.



UNITED STATES DISTRICT JUDGE